



## Senate

General Assembly

February Session, 2012

**File No. 269**

Senate Bill No. 99

*Senate, April 5, 2012*

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

### ***AN ACT CONCERNING LETTERS OF PROTECTION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2012*) Any physician licensed  
2       under chapter 370 of the general statutes and any physical therapist  
3       licensed under chapter 376 of the general statutes shall, during the  
4       consultation period with a patient who has suffered a personal injury  
5       and prior to any treatment of such patient, disclose to such patient in  
6       writing: (1) Whether such physician or physical therapist would  
7       provide services to such patient on the basis of a letter of protection  
8       issued by an attorney representing the patient in a personal injury  
9       action, which letter promises that any bill for services rendered by  
10      such physician or physical therapist to such patient will be paid from  
11      the proceeds of any recovery the patient receives from a settlement or  
12      judgment in such action or, if there is no recovery or the recovery is  
13      insufficient to pay such bill, that such bill will be paid by such patient;  
14      and (2) the estimated cost of providing to the patient or an attorney  
15      representing the patient in a personal injury action an opinion letter

- 16 concerning the cause of the personal injury and the diagnosis,  
17 treatment and prognosis of the patient, including a disability rating.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>October 1, 2012</i>	New section
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**JUD**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill places requirements on doctors and physical therapists who treat patients suffering from a personal injury and does not result in a fiscal impact.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR BILL ANALYSIS****SB 99*****AN ACT CONCERNING LETTERS OF PROTECTION.*****SUMMARY:**

This bill requires licensed doctors and physical therapists (providers) to tell a patient who suffers a personal injury:

1. whether they will treat the patient based on a letter of protection from the patient's personal injury lawyer that promises to either pay their fees from the proceeds of any settlement or judgment or, if there is no recovery or the recovery is insufficient, to have the patient pay and
2. the estimated cost of giving the patient or his or her attorney an opinion letter on the patient's diagnosis, treatment, and prognosis, including a disability rating.

The bill requires a provider to give the patient this information in writing during consultation and before treatment.

EFFECTIVE DATE: October 1, 2012

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 42 Nay 0 (03/21/2012)